

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**FEIN, SUCH, KAHN & SHEPARD, P.C.**  
Counsellors at Law  
7 Century Drive - Suite 201  
Parsippany, New Jersey 07054  
(973) 538-9300  
Attorneys for Movant  
PNC Bank, National Association  
R.A. LEBRON, ESQ.  
PN212  
bankruptcy@fskslaw.com

In Re:

NELSON FIDELIS DE GOES

Debtor(s).



Order Filed on March 2, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-21535 ABA

Chapter: 13

Hearing Date: February 15, 2022

Judge: Hon. Andrew B. Altenburg, Jr.

Recommended Local Form: ☐ Followed ☒ Modified

ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS

The relief set forth on the following page(s) is hereby **ORDERED**.

**DATED: March 2, 2022**

Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Applicant:	PNC Bank, National Association
Applicant's Counsel:	Fein, Such, Kahn & Shepard, P.C.
Debtor's Counsel:	Andrew B. Finberg
Property Involved (Collateral")	23 STAG RUN WASHINGTON TWP, NJ 08080

Relief sought:      ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent  
                         imposition of automatic stay against the  
                         collateral by debtor's future bankruptcy  
                         filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is  
(are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 30 months, from August 20,  
2019 to January, 20, 2022 with \$67.30 in suspense which is  
broken down as follows:

08/20/2019	@	\$112.43
09/20/2019	@	\$110.55
10/20/2019	@	\$110.54
11/20/2019	@	\$106.92
12/20/2019	@	\$104.83
01/20/2020	@	\$104.07
02/20/2020	@	\$103.99
03/20/2020	@	\$101.32
04/20/2020	@	\$103.96
05/20/2020	@	\$103.96
06/20/2020	@	\$89.26
07/20/2020	@	\$91.96
08/20/2020	@	\$90.15
09/20/2020	@	\$89.26
10/20/2020	@	\$92.86
11/20/2020	@	\$90.16
12/20/2020	@	\$91.06
01/20/2021	@	\$90.15
02/20/2021	@	\$90.22
03/20/2021	@	\$92.04
04/20/2021	@	\$88.42
05/20/2021	@	\$91.14
06/20/2021	@	\$88.42
07/20/2021	@	\$92.94
08/20/2021	@	\$90.23
09/20/2021	@	\$91.14
10/20/2021	@	\$91.13
11/20/2021	@	\$89.33

12/20/2021 @ \$89.33

01/20/2022 @ \$90.23

☐ The Debtor is assessed for N/A late charges at N/A per month.

☐ Applicant acknowledges receipt of funds in the amount of N/A received after the motion was filed.

Total Arrearages Due \$2,804.70.

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$2,804.70. Payment shall be made no later than February 20, 2022.

☒ Beginning on February 20, 2022, regular monthly mortgage payments shall continue to be made.

☐ Beginning on N/A, additional monthly cure payments shall be made in the amount of \$N/A for N/A months.

☐ The amount of \$N/A shall be capitalized in the Debtor's Chapter 13 plan. The Debtor's monthly payment to the Chapter 13 Trustee is modified to be \$N/A per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: PNC Bank, N.A.  
P.O. BOX 94982  
Cleveland, OH 44101

☒ Regular monthly payment: PNC Bank, N.A.  
P.O. BOX 94982  
Cleveland, OH 44101

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of N/A, and costs of \$N/A.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

In re:  
Nelson Fidelis De Goes  
Debtor

Case No. 18-21535-ABA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Mar 02, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2022:

Recip ID	Recipient Name and Address
db	+ Nelson Fidelis De Goes, 23 Stag Run, Sewell, NJ 08080-3303

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2022 at the address(es) listed below:

Name	Email Address
Andrew B. Finberg	on behalf of Debtor Nelson Fidelis De Goes andy@sjbankruptcylaw.com abfecf@gmail.com;finbergar39848@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor The Bank of New York mellon fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Asset Backed Funding Corporation Mortgage Loan Asset Backed Certificates Series dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
Elizabeth L. Wassall	on behalf of Creditor The Bank of New York Mellon Trust Company N.A., as successor-in-interest to all successors and assigns of Bank One, N.A., as Trustee for AssetBacked Funding Corporation Mortgage Loan Asset-Backed Certi ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com

District/off: 0312-1

User: admin

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Date Rcvd: Mar 02, 2022

Form ID: pdf903

Total Noticed: 1

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa [ecfmail@standingtrustee.com](mailto:ecfmail@standingtrustee.com) [summarymail@standingtrustee.com](mailto:summarymail@standingtrustee.com)

R. A. Lebron

on behalf of Creditor PNC Bank National Association [bankruptcy@fskslaw.com](mailto:bankruptcy@fskslaw.com)

Rebecca Ann Solarz

on behalf of Creditor The Bank of New York mellon fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Asset Backed Funding Corporation Mortgage Loan Asset Backed Certificates Series  
[rsolarz@kmlawgroup.com](mailto:rsolarz@kmlawgroup.com)

U.S. Trustee

[USTPRegion03.NE.ECF@usdoj.gov](mailto:USTPRegion03.NE.ECF@usdoj.gov)

TOTAL: 8